

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
PHYSICIANS MUTUAL LIFE INSURANCE )  
COMPANY and PHYSICIANS LIFE )  
INSURANCE COMPANY, )

Plaintiffs, )

v. )

GREYSTONE SERVICING CORPORATION, )  
INC., GREYSTONE FUNDING )  
CORPORATION, GREYSTONE & CO., INC., )  
STEPHEN ROSENBERG, ROBERT R. )  
BAROLAK, and CURTIS A. POLLOCK, )

Defendants )  
-----X

Case No. 07 CV 10490 (NRB)

**FILING OF RECORDS FROM STATE  
COURT PURSUANT TO LOCAL CIVIL  
RULE 81.1(b)**

Removed from the Supreme Court of  
the State of New York, New York County,  
Index No. 602918/07

Stephen L. Saxl (SS1028)  
GREENBERG TRAURIG, LLP  
200 Park Avenue  
New York, New York 10166  
(212) 801-9200  
(212) 801-6400 (fax)  
saxls@gtlaw.com

José A. Isasi, II  
GREENBERG TRAURIG, LLP  
77 West Wacker Drive, Suite 2500  
Chicago, Illinois 60601  
(312) 456-8400  
(312) 456-8435 (fax)  
isasij@gtlaw.com

*Attorneys for Defendants*

Pursuant to Local Civil Rule 81.1(b), attached hereto are copies of all records and proceedings in the Supreme Court of the State of New York, New York County, Index No. 602918/07, prior to removal of this action on November 20, 2007.

Dated: December 7, 2007

Respectfully submitted,

/s/

Stephen L. Saxl (SS1028)  
GREENBERG TRAURIG, LLP  
200 Park Avenue  
New York, New York 10166  
Telephone: (212) 801-9200  
Facsimile: (212) 801-6400  
saxls@gtlaw.com

José A. Isasi, II  
GREENBERG TRAURIG, LLP  
77 West Wacker Drive, Suite 2500  
Chicago, Illinois 60601  
Telephone: (312) 456-8400  
Facsimile: (312) 456-8435 (fax)  
isasij@gtlaw.com

*Attorneys for Defendants*

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

PHYSICIANS MUTUAL INSURANCE COMPANY and  
PHYSICIANS LIFE INSURANCE COMPANY,

Plaintiff(s),

- against -

GREYSTONE SERVICING CORPORATION, INC.,  
GREYSTONE FUNDING CORPORATION,  
GREYSTONE & CO., INC., STEPHEN ROSENBERG,  
ROBERT R. BAROLAK, and CURTIS A. POLLOCK,

Defendant(s)

X Index No.:

: Date of Filing:

: Plaintiffs designate New York  
County as the place of trial

: The basis of the venue is under  
Section 503(a) and (c), CPLR;

: Defendants' residence/principal  
office/place of business

**SUMMONS WITH NOTICE**

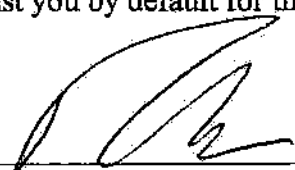
Plaintiffs reside at:  
2600 Dodge Street  
Omaha, Nebraska 68102  
County of Douglas

AUG 29 2007

To the above-named Defendant(s): **NEW YORK  
COUNTY CLERK'S OFFICE**

**YOU ARE HEREBY SUMMONED** to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded herein.

Dated: New York, NY  
August 29, 2007

  
Richard E. Carmen, Esq.  
**BRIEF CARMEN & KLEIMAN, LLP**  
Attorneys for Plaintiff(s)  
805 Third Avenue, 11<sup>th</sup> Floor  
New York, NY 10022  
(212) 758-6160 or (212) 832-5570

**Defendants' Address:**

See Attached Address List

**Notice:** The nature of this action is for breach(es) of contract(s), breach(es) of the common-law implied covenant of good faith and fair dealing, fraud, misrepresentation and fraudulent concealment, negligence, claim(s) under the Racketeering Influenced and Corrupt Organizations Act, 18 United States Code Sections §1961, *et seq.*, unjust enrichment, breach(es) of fiduciary duty, conversion, and imposition of constructive trust, related to sale and redemption of Plaintiffs' Loan Participation Interests in certain Pools of FHA Project Loans respectively identified as "Greystone 1995-4", "Greystone 1996-1" and "Greystone 1996-6".

The relief sought is monetary damages, i.e. compensatory damages in at least the amount of \$14,167,327, threefold damages and exemplary and punitive damages in at least the amount of \$42,501,981, and the reasonable attorney's fees of plaintiffs, and equitable relief in the nature of imposition of constructive trust.

Upon your failure to appear, judgment will be taken against you by default for the sum of \$14,167,327 in compensatory damages, for the sum of \$42,501,981 in threefold and exemplary and punitive damages, for reasonable attorney's fees, with interest from no earlier than August 30, 2002 and the costs of this action, and equitable relief aforesaid in the nature of a constructive trust.

GREYSTONE SERVICING CORPORATION, INC.  
152 West 57<sup>th</sup> Street  
New York, NY 10019

c/o C T Corporation System  
111 Eighth Avenue  
New York, NY 10011

419 Belle Air Lane  
Warrenton, Virginia 20186

GREYSTONE FUNDING CORPORATION  
152 West 57<sup>th</sup> Street  
New York, NY 10019

419 Belle Air Lane  
Warrenton, Virginia 20186

GREYSTONE & CO., INC.  
152 West 57<sup>th</sup> Street, 60<sup>th</sup> Floor  
New York, NY 10019

STEPHEN ROSENBERG  
152 West 57<sup>th</sup> Street  
New York, NY 10019

ROBERT R. BAROLAK  
152 West 57<sup>th</sup> Street  
New York, NY 10019

44 Indian Head Road  
Riverside, Connecticut 06878

CURTIS A. POLLOCK  
152 West 57<sup>th</sup> Street  
New York, NY 10019

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X  
PHYSICIANS MUTUAL INSURANCE COMPANY, et al.,

Plaintiff(s),  
-against-

AFFIDAVIT OF SERVICE  
Index No. 602918/07  
Filed 8/29/07

GREYSTONE SERVICING CORPORATION, et al.,

Defendant(s)  
-----X

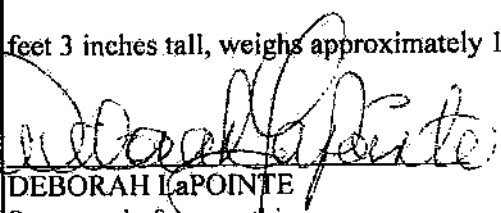
STATE OF NEW YORK )  
S.S.:  
COUNTY OF ALBANY )

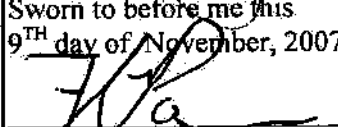
DEBORAH LaPOINTE, being duly sworn, deposes and says that she is over the age of eighteen years, is employed by the attorney service, D.L.S., INC., and is not a party to this action.

That on the 9<sup>TH</sup> day of November, 2007, at approximately the time of 11:30A.M., at the office of the Secretary of State, of the State of New York in the City of Albany, New York, deponent served the SUMMONS WITH NOTICE upon GREYSTONE & CO., INC., the defendant in this action, by delivering to and leaving with CAROL VOGT an agent of the Secretary of State, of the State of New York, two true copies thereof and at that time of making such service deponent paid said Secretary of State a fee of forty dollars. That said service was made pursuant to Section, 306 Business Corporation Law.

Deponent further says that she knew the person so served as aforesaid to be the individual in the Office of the Secretary of State of New York, duly authorized to accept such service on behalf of said defendant.

CAROL VOGT is a white female, approximately 54 years of age, stands approximately 5 feet 3 inches tall, weighs approximately 105 pounds with brown hair and brown eyes.

  
DEBORAH LaPOINTE  
Sworn to before me this  
9<sup>TH</sup> day of November, 2007

  
NOTARY PUBLIC

FRANK J. PANUCCI  
Notary Public, State of N.Y.  
Qualified in Albany County  
Reg. No. 4721156  
Commission Expires July 31, 2010

State of New York - Department of State  
Receipt for Service

Receipt #: 200711090293  
Date of Service: 11/09/2007  
Service Company: 10 D.L.S. INC. - 10

Cash #: 200711090229  
Fee Paid: \$40 - CHECK

Service was directed to be made pursuant to: SECTION 306 OF THE BUSINESS  
CORPORATION LAW

Party Served: GREYSTONE & CO., INC.

Plaintiff/Petitioner:  
PHYSICIANS MUTUAL INSURANCE COMPANY

Service of Process Address:  
STEPHEN ROSENBERG  
152 WEST 57TH ST  
60TH FLOOR  
NEW YORK, NY 10019

Secretary of State  
By CAROL VOGT



# Demovsky Lawyer Service

Premier Nationwide Document Retrieval  
and Process Service Company

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

PHYSICIANS MUTUAL INSURANCE  
COMPANY, et al.,

Plaintiff(s),

Index No. 602918/07

-against-

AFFIDAVIT OF SERVICE

GREYSTONE SERVICING CORPORATION,  
INC., et al.,

Defendant(s).

STATE OF VIRGINIA )

S.S.:

COUNTY OF HENRICO )

James A. Justis being duly sworn, deposes and says that he/she is over the age of eighteen years, is an agent of the attorney service, D.L.S., Inc., and is not a party to this action.

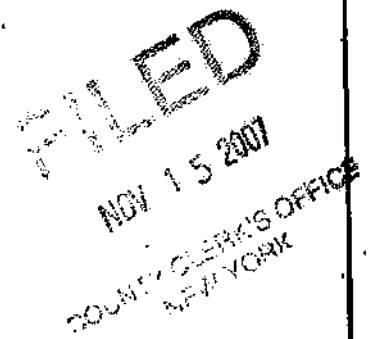
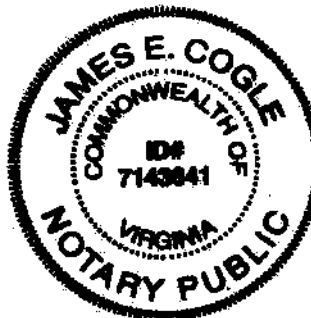
That on the 9<sup>th</sup> day of November, 2007, at approximately the time of 1:00 P.M., deponent served a true copy of the SUMMONS WITH NOTICE upon Greystone Funding Corporation c/o Corporation Service Company at 11 South 12<sup>th</sup> Street, Richmond, VA 23218, by personally delivering and leaving the same with Heather Daniels who informed deponent that she holds the position of an individual authorized with that company and is authorized by law to receive service at that address.

Heather Daniels is a white female, approximately 27 years of age, stands approximately 5 feet 5 inches tall, weighs approximately 135 pounds with brown hair.

*James A. Justis*  
PROCESS SERVER

Sworn to before me this  
14 day of November, 2007

*James E. Cogle*  
NOTARY PUBLIC





**CERTIFICATE  
OF  
CORPORATION SERVICE COMPANY**

**THIS CERTIFICATE MADE** pursuant to Subsection 2(b) of Section 13.1-634, Subsection 2(b) of Section 13.1-763, Subsection 2(b) of Section 13.1-1015 and Section 50-73.4 of the Virginia Code.

**CORPORATION SERVICE COMPANY**, a corporation authorized to do business in the Commonwealth of Virginia, does hereby certify that:

1. It is incorporated under the Laws of the State of Delaware and was authorized to do business in Virginia on June 1, 2001.
2. (a) It maintains a business office in the Commonwealth of Virginia at 11 South 12<sup>th</sup> Street, P.O. Box 1463, Richmond, Virginia, 23219.  
  
(b) Service of process may be made at such business office in the City of Richmond upon corporations, limited liability companies, partnerships, trusts and other entities, associations and persons which have designated it as agent for service of process.  
  
(c) The names of the individuals authorized to receive process served upon Corporation Service Company as the agent for service of process of any corporations, limited liability companies, partnerships, trust and other entities, associations and persons which have designated it as such agent are:

Beverley L. Crump  
Heather Daniels  
Linda B. Liles

Rene Nordquist  
Nicole T. McCallum  
Kate Nordquist

Meda Sterrett  
Janet Torrance  
Amy Tarker

**WHEREFORE**, Corporation Service Company has caused its corporate name to be hereunto subscribed this       day of March 2007.

CORPORATION SERVICE COMPANY

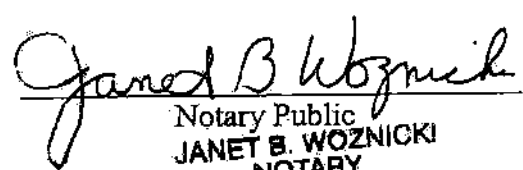
BY 

George A. Massih III, Vice President

STATE OF DELAWARE  
COUNTY OF NEW CASTLE

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of March 2007, by George A. Massih III.

My Commission Expires: 8-5-2008

  
Notary Public  
JANET B. WOZNICKI  
NOTARY  
TERM 4 YEARS  
EXPIRES 2008  
STATE OF DELAWARE



**DLS**

**Demovsky Lawyer Service**

Premier Nationwide Document Retrieval  
and Process Service Company

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X  
PHYSICIANS MUTUAL INSURANCE COMPANY, et al.,

Plaintiff(s),  
-against-

GREYSTONE SERVICING CORPORATION, et al.,

Defendant(s)

STATE OF NEW YORK )

S.S.:

COUNTY OF ALBANY )

AFFIDAVIT OF SERVICE

Index No. 602918/07

Filed 8/29/07

NEW YORK  
COUNTY CLERK'S OFFICE

NOV 19 2007

CLERK'S OFFICE  
NEW YORK

NOT COMPALED  
WITH COPY FILE

DEBORAH LaPOINTE, being duly sworn, deposes and says that she is over the age of eighteen years, is employed by the attorney service, D.L.S., INC., and is not a party to this action.

That on the 14<sup>TH</sup> day of November, 2007, at approximately the time of 11:30A.M., at the office of the Secretary of State, of the State of New York in the City of Albany, New York, deponent served the SUMMONS WITH NOTICE upon GREYSTONE SERVICING CORPORATION, INC., the defendant in this action, by delivering to and leaving with DONNA CHRISTIE an agent of the Secretary of State, of the State of New York, two true copies thereof and at that time of making such service deponent paid said Secretary of State a fee of forty dollars. That said service was made pursuant to Section, 306 Business Corporation Law.

Deponent further says that she knew the person so served as aforesaid to be the individual in the Office of the Secretary of State of New York, duly authorized to accept such service on behalf of said defendant.

DONNA CHRISTIE is a white female, approximately 47 years of age, stands approximately 5 feet 4 inches tall, weighs approximately 145 pounds with blonde hair and blue eyes.

*Deborah LaPointe*  
DEBORAH LaPOINTE  
Sworn to before me this  
14<sup>TH</sup> day of November, 2007

NOTARY PUBLIC

Frank J. Parucci  
Notary Public-State of NY  
Qualified in Albany Co  
No. 4721156  
Comm. Expires 12/31/2010

NEW YORK  
COUNTY CLERK'S OFFICE  
NOV 19 2007  
NOT COMPALED  
WITH COPY FILE

State of New York - Department of State  
Receipt for Service

Receipt #: 200711140238  
Date of Service: 11/14/2007  
Service Company: 10 D.L.S. INC. - 10

Cash #: 200711140230  
Fee Paid: \$40 - DRAWDOWN

Service was directed to be made pursuant to: SECTION 306 OF THE BUSINESS  
CORPORATION LAW

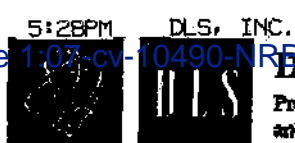
Party Served: GREYSTONE SERVICING CORPORATION, INC.

Plaintiff/Petitioner:  
PHYSICIANS MUTUAL INSURANCE COMPANY

Service of Process Address:  
C/O C T CORPORATION SYSTEM  
111 EIGHTH AVENUE  
NEW YORK, NY 10011

Secretary of State  
By DONNA CHRISTIE

NEW YORK  
COUNTY CLERK'S OFFICE  
NOV 19 2007  
NOT COMPARED  
WITH COPY FILE



**Demovsky Lawyer Service**  
Premier Nationwide Document Retrieval  
and Process Service Company

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

\_\_\_\_\_  
PHYSICIANS MUTUAL INSURANCE COMPANY and  
PHYSICIANS LIFE INSURANCE COMPANY,

Plaintiffs,

Index No. 602918/07

-against-

AFFIDAVIT OF SERVICE

X GREYSTONE SERVICING CORPORATION, INC.  
GREYSTONE FUNDING CORPORATION,  
GREYSTONE & CO., INC., STEPHEN ROSENBERG,  
ROBERT R. BAROLAK, and CURTIS A. POLLOCK,

Defendants.

\_\_\_\_\_  
STATE OF VIRGINIA )

S.S.:

COUNTY OF STAFFORD )

I, Terry L. Marton, being duly sworn, deposes and says that he/she is over the  
age of eighteen years, is an agent of the attorney service, D.L.S., Inc., and is not a party to this action.

That on the 16<sup>th</sup> day of November, 2007, at approximately the time of 2:30 PM, deponent  
served a true copy of the SUMMONS WITH NOTICE upon GREYSTONE SERVICING  
CORPORATION, INC. at 419 Belle Air Lane, Warrenton, VA, by personally delivering and leaving the  
same with DEBBIE MARTON who informed deponent that she holds the position of Vice President with  
that company and is authorized by law to receive service at that address.

DEBBIE MARTON is a Chd female, approximately 35+ years of age, stands  
approximately 5'3" feet 3" inches tall, weighs approximately 115 pounds with Blond hair.

[Signature]  
PROCESS SERVER

Sworn to before me this  
17 day of November, 2007

DAWN A. PETSKA  
Notary Public  
Commonwealth of Virginia  
298064  
My Commission Expires May 31, 2009

Dawn A. Petska  
NOTARY PUBLIC

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X  
PHYSICIANS MUTUAL INSURANCE COMPANY  
and PHYSICIANS LIFE INSURANCE COMPANY,  
Plaintiff(s),

Index No. 602918/07

-against-

GREYSTONE SERVICING CORPORATION, INC.,  
GREYSTONE FUNDING CORPORATION,  
GREYSTONE & CO., INC. STEPHEN ROSENBERG,  
ROBERT R. BAROLAK, and CURTIS A. POLLOCK,  
Defendant(s).

AFFIDAVIT OF SERVICE

-----X  
STATE OF NEW YORK )  
S.S.:  
COUNTY OF NEW YORK)

NOV - 9 2007

TRUSTY OFFICE SERVICE  
A. J. J. J.

DARRYL A. GREEN, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, DLS, INC., and is not a party to this action.

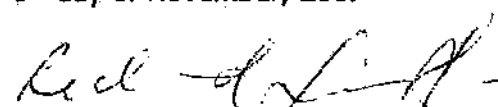
That on the 8<sup>th</sup> day of November 2007, at approximately 1:49 pm, deponent served a true copy of the **SUMMONS WITH NOTICE** upon Greystone Servicing Corporation, Inc. c/o CT Corporation System at 111 Eighth Avenue, New York, NY 10011, by personally delivering and leaving the same with Axia Flores, Specialist Process, who informed deponent that she is an agent authorized by appointment to receive service at that address.

Axia Flores is a Hispanic female, approximately 45 years of age, stands approximately 5 feet 2 inches tall and weighs approximately 120 pounds with brown hair and brown eyes.



DARRYL A. GREEN #0866535

Sworn to before me this  
9<sup>th</sup> day of November, 2007



NOTARY PUBLIC

**RICHARD LEE ALI**  
Notary Public State Of New York  
NO .01-AL 4961834  
Qualified in NY County  
Commission Expires Feb. 5, 2009



**Demovsky Lawyer Service**

Premier Nationwide Document Retrieval  
and Process Service Company

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X  
PHYSICIANS MUTUAL INSURANCE COMPANY and  
PHYSICIANS LIFE INSURANCE COMPANY,

Plaintiffs,

Index No. 602918/07

-against-

AFFIDAVIT OF SERVICE

GREYSTONE SERVICING CORPORATION, INC.,  
GREYSTONE FUNDING CORPORATION,  
GREYSTONE & CO., INC., STEPHEN ROSENBERG,  
ROBERT R. BAROLAK, and CURTIS A. POLLOCK,

Defendants.

-----X  
STATE OF NEW YORK )  
S.S.  
COUNTY OF NEW YORK)

**FILED**  
NOV - 9 2007  
COUNTY CLERK'S OFFICE  
NEW YORK

HECTOR FIGUEROA, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, DLS, INC., and is not a party to this action.

That on the 8<sup>th</sup> day of November, 2007, at approximately the time of 2:00 PM, deponent served a true copy of the SUMMONS WITH NOTICE upon CURTIS A. POLLOCK at Greystone & Co., Inc., 152 West 57<sup>th</sup> Street, 60<sup>th</sup> Floor, New York, NY, by personally delivering and leaving the same with Administrative Assistant, KRISTINA ANDREWS, a person of suitable age and discretion at that address, the actual place of business. At the time of service, deponent asked if CURITS A. POLLOCK is in active military service for the United States of America or for the State in any capacity whatever or dependent upon a person in active military service and received a negative reply.

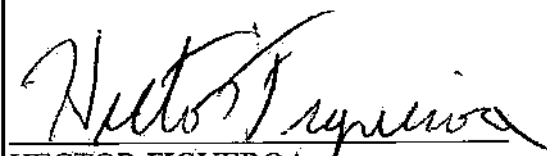
KRISTINA ANDREWS is a white female, approximately 30 years of age, stands approximately 5 feet 6 inches tall, weighs approximately 140 pounds with brown hair and light eyes.




Premier Nationwide Document Retrieval  
and Process Service Company


That on the 9<sup>th</sup> day of November, 2007, deponent served another copy of the foregoing upon CURTIS A. POLLOCK by first class mail, by enclosing a true copy thereof in a securely sealed and postpaid wrapper with the words "PERSONAL AND CONFIDENTIAL" written on the same envelope, and not indicating on the outside that it is from an attorney or concerns an action against the person to be served, and depositing the same into an official depository maintained by the Government of the United States, City and State of New York, addressed as follows:

CURTIS A. POLLOCK  
Greystone & Co., Inc.  
152 West 57<sup>th</sup> Street, 60<sup>th</sup> Floor  
New York, NY 10019

  
HECTOR FIGUEROA  
#870141

Sworn to before me this  
9<sup>th</sup> day of November, 2007

  
NOTARY PUBLIC

JONATHAN T. RIPPS  
Notary Public, State of New York  
NO. 0156109718  
Qualified in Rockland County  
Certificate Filed in New York County  
Commission Expires May 17, 2008 





Premier Nationwide Document Retrieval  
and Process Service Company

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X  
PHYSICIANS MUTUAL INSURANCE COMPANY and  
PHYSICIANS LIFE INSURANCE COMPANY,

Plaintiffs,

Index No. 602918/07

-against-

AFFIDAVIT OF SERVICE

GREYSTONE SERVICING CORPORATION, INC.,  
GREYSTONE FUNDING CORPORATION,  
GREYSTONE & CO., INC., STEPHEN ROSENBERG,  
ROBERT R. BAROLAK, and CURTIS A. POLLOCK,

Defendants.  
-----X

STATE OF NEW YORK )  
S.S.  
COUNTY OF NEW YORK)

HECTOR FIGUEROA, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, DLS, INC., and is not a party to this action.

That on the 8<sup>th</sup> day of November, 2007, at approximately the time of 2:00 PM, deponent served a true copy of the SUMMONS WITH NOTICE upon ROBERT R. BAROLAK at Greystone & Co., Inc., 152 West 57<sup>th</sup> Street, 60<sup>th</sup> Floor, New York, NY, by personally delivering and leaving the same with Administrative Assistant, KRISTINA ANDREWS, a person of suitable age and discretion at that address, the actual place of business. At the time of service, deponent asked if ROBERT R. BAROLAK is in active military service for the United States of America or for the State in any capacity whatever or dependent upon a person in active military service and received a negative reply.

KRISTINA ANDREWS is a white female, approximately 30 years of age, stands approximately 5 feet 6 inches tall, weighs approximately 140 pounds with brown hair and light eyes.

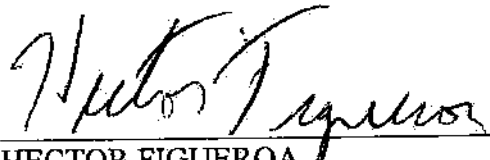




Premier Nationwide Document Retrieval  
and Process Service Company

That on the 9<sup>th</sup> day of November, 2007, deponent served another copy of the foregoing upon ROBERT R. BAROLAK by first class mail, by enclosing a true copy thereof in a securely sealed and postpaid wrapper with the words "PERSONAL AND CONFIDENTIAL" written on the same envelope, and not indicating on the outside that it is from an attorney or concerns an action against the person to be served, and depositing the same into an official depository maintained by the Government of the United States, City and State of New York, addressed as follows:

ROBERT R. BAROLAK  
Greystone & Co., Inc.  
152 West 57<sup>th</sup> Street, 60<sup>th</sup> Floor  
New York, NY 10019

  
HECTOR FIGUEROA  
#870141

Sworn to before me this  
9<sup>th</sup> day of November, 2007

  
NOTARY PUBLIC

JONATHAN T. RIPPS  
Notary Public, State of New York  
NO. 0186109718  
Qualified in Rockland County  
Certificate Filed in New York County  
Commission Expires May 17, 2008



Premier Nationwide Document Retrieval  
and Process Service Company

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X  
PHYSICIANS MUTUAL INSURANCE COMPANY and  
PHYSICIANS LIFE INSURANCE COMPANY,

Plaintiffs,

Index No. 602918/07

-against-

AFFIDAVIT OF SERVICE

GREYSTONE SERVICING CORPORATION, INC.,  
GREYSTONE FUNDING CORPORATION,  
GREYSTONE & CO., INC., STEPHEN ROSENBERG,  
ROBERT R. BAROLAK, and CURTIS A. POLLOCK,

Defendants.

-----X  
STATE OF NEW YORK )  
                          S.S.  
COUNTY OF NEW YORK)

HECTOR FIGUEROA, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, DLS, INC., and is not a party to this action.

That on the 8<sup>th</sup> day of November, 2007, at approximately the time of 2:00 PM, deponent served a true copy of the SUMMONS WITH NOTICE upon STEPHEN ROSENBERG at Greystone & Co., Inc., 152 West 57<sup>th</sup> Street, 60<sup>th</sup> Floor, New York, NY, by personally delivering and leaving the same with Administrative Assistant, KRISTINA ANDREWS, a person of suitable age and discretion at that address, the actual place of business. At the time of service, deponent asked if STEPHEN ROSENBERG is in active military service for the United States of America or for the State in any capacity whatever or dependent upon a person in active military service and received a negative reply.

KRISTINA ANDREWS is a white female, approximately 30 years of age, stands approximately 5 feet 6 inches tall, weighs approximately 140 pounds with brown hair and light eyes.



Premier Nationwide Document Retrieval  
and Process Service Company

That on the 9<sup>th</sup> day of November, 2007, deponent served another copy of the foregoing upon STEPHEN ROSENBERG by first class mail, by enclosing a true copy thereof in a securely sealed and postpaid wrapper with the words "PERSONAL AND CONFIDENTIAL" written on the same envelope, and not indicating on the outside that it is from an attorney or concerns an action against the person to be served, and depositing the same into an official depository maintained by the Government of the United States, City and State of New York, addressed as follows:


STEPHEN ROSENBERG  
Greystone & Co., Inc.  
152 West 57<sup>th</sup> Street, 60<sup>th</sup> Floor  
New York, NY 10019



HECTOR FIGUEROA

#870141

Sworn to before me this  
9<sup>th</sup> day of November, 2007



NOTARY PUBLIC

JONATHAN T. RIPPS  
Notary Public, State of New York  
NO. 0106109718  
Qualified in Rockland County  
Certificate Filed in New York County  
Commission Expires May 17, 2008